

**Notice of Allowability**

Application No.

10/789,170

Examiner

Robert J. Canfield

Applicant(s)

BOGART, DONALD W.

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3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/10/06 telephonic interview.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marcia Devon on 05/10/06.

The application has been amended as follows:

1. (Currently Amended) A shelter for an airplane having a fuselage, wings and a tail, said shelter comprising:

a plurality of vertical support members arranged parallel to each other and adapted to extend over the fuselage of an airplane between the tail of the airplane and the wings of the airplane;

a singular cantilever beam attached to the upper portion of each one of said plurality of vertical support members, forming an upright-standing shelter structure with said cantilever beam, adapted to extend forwardly over the nose of the airplane;

a pair of lateral support members adapted to be positioned proximate to each wingtip of said airplane;

covering material arranged over said shelter structure, including over the cantilever beam and laterally to each said pair of lateral support members such that said airplane is adapted fit [fits] entirely beneath said covering material;

support cables attached to said cantilever beam and to each of said lateral support members for supporting [such that] said covering material [is supported] over the wings of said airplane and;  
means for anchoring the shelter[;].

2. (Currently Amended) A shelter for storing an airplane having a fuselage, wingtip and a tail, said shelter comprising:  
a plurality of vertical support members arranged parallel to each other and adapted to extend over the fuselage of an airplane between the tail of the airplane and the wings of the airplane;  
a singular cantilever beam attached to the upper portion of each one of said plurality of vertical support members, forming an upright-standing shelter structure with said cantilever beam, adapted to extend forwardly over the nose of the airplane;  
a pair of lateral support members adapted to be positioned proximate to each wingtip of said airplane;  
covering material arranged over said shelter structure, including over the cantilever beam and laterally to each said pair of lateral support members such that said airplane is adapted to fit [fits] entirely beneath said covering material;  
support cables attached to said cantilever beam and to each of said lateral support members for supporting [such that] said covering material [is supported] over the wings of said airplane and;  
an anchor for securing the shelter to a fixed location.

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5. (Currently Amended) A shelter [of] situated on the ground for an airplane having a fuselage, wings. and a tail, said shelter comprising:

a plurality of vertical support members arranged parallel to each other and adapted to extend over the fuselage of an airplane between the tail of the airplane and the wings of the airplane;

a cantilever beam attached to the upper portion of each one of said plurality of vertical support members, forming an upright-standing shelter structure with said cantilever beams adapted to extend forwardly over the nose of the airplane;

a pair of lateral support members adapted to be positioned proximate to each wingtip of said airplane;

covering material arranged over said shelter structure including over the cantilever beam and laterally to each said pair of lateral support members such that said airplane is adapted to fit [fits] entirely beneath said covering material;

support cables attached to said cantilever beam and to each of said lateral support members for supporting [such that] said covering material [is supported] over the wings of said airplane;

a hem in the edge of said covering material placed over said lateral support members and means for adjusting the tension of said covering material wherein said means for adjusting includes:

at least one anchor associated with each lateral support member;

at least one rigid member associated with each lateral support member, each rigid member having a first and second end, said first end received by said anchor;

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a rod inserted into said hem, said rod having a means for receiving said second end of said rigid member;

two of nuts, a first nut for securing said rod to the ground and a second nut for securing said covering to said rigid rod.

6. (Currently Amended) [The] A shelter for storing an airplane [have] having a fuselage, wingtip and a tail, said shelter comprising:

a plurality of vertical support members arranged parallel to each other and adapted to extend over the fuselage of an airplane between the tail of the airplane and the wings of the airplane;

a cantilever beam attached to the upper portion of each one of said plurality of vertical support members, forming an upright-standing shelter structure with said cantilever beam, adapted to extend forwardly over the nose of the airplane;

a pair of lateral support members adapted to be positioned proximate to each wingtip of said airplane;

covering material arranged over said shelter structure, including over the cantilever beam and laterally to each said pair of lateral support members such that said airplane is adapted to fit [fits] entirely beneath said covering materials;

support cables attached to said cantilever beam and to each of said lateral support members for supporting [such that] said covering material [is supported] over the wings of said airplane;

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a hem in the edge of said covering material placed over said lateral support members and means for adjusting the tension of said covering material wherein said means for adjusting includes;

at least one anchor associated with each lateral support member;

at least one rigid member comprising an angle bracket, having a first and second plane, said angle bracket associated with each lateral support member, each rigid member having a first and second end, said first end received by said anchor;

a rod inserted into said hem, said rod having a means for receiving said second plane of said angle bracket;

a first nut for securing said rod to the ground. a second nut for securing said covering to said rod; and

a third nut wherein said first nut is adapted to be secured to said first plane and said third nut is adapted to be secured to said second plane.

8. (Currently amended) A shelter for storing an airplane having a fuselage, wings and a tail, said shelter comprising:

a plurality of arcuate vertical support members arranged parallel to each other, forming an apex, and adapted to extend over the fuselage of an airplane between the tail of the airplane and the wings of the airplane;

a singular cantilever beam attached to the upper portion of each one of said plurality of vertical support members at said apex, forming an upright-standing shelter structure with said cantilever beam, adapted to extend forwardly over the nose of the airplane;

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a pair of lateral support members adapted to be positioned proximate to each wingtip of said airplane;

covering material arranged over said shelter structure, including over the cantilever beam and laterally to each said pair of lateral support members such that said airplane is adapted to fit [fits] entirely beneath said covering material;

support cables attached to said cantilever beam and to each of said lateral support members for supporting [such that] said covering material [is supported] over the wings of said airplane;

a hem in the edge of said covering material placed over said lateral support members and means for adjusting the tension of said covering material wherein said means for adjusting includes;

at least one anchor associated with each lateral support member;

at least one rigid member associated with each lateral support member, each rigid member having a first and second end, said first end received by said anchor;

a rod inserted into said hem, said rod having a means for receiving said second end of said rigid member; and

at least two nuts, a first nut for securing said rod to the ground and a second nut for securing said covering to said rod.

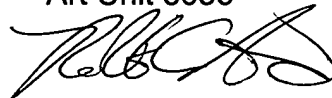
2. Claims 1-10 are allowed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Canfield whose telephone number is 571-272-6840. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert J Canfield  
Primary Examiner  
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05/11/06